

APR REC'D PCT/PTO 33 JAN 2006

FORM PTO 1390  
(REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
2005\_2041A

US APPLICATION NO.  
60/55557  
NEW

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371

International Application No.  
PCT/JP2004/010903

International Filing Date  
July 23, 2004

Priority Date Claimed  
July 24, 2003

Title of Invention

ENCODING MODE DECIDING APPARATUS, IMAGE ENCODING APPARATUS, ENCODING MODE DECIDING METHOD, AND ENCODING MODE DECIDING PROGRAM

Applicant(s) For DO/EO/US  
Youji NOTOYA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3.  This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau, as indicated in the attached Form PCT/IB/308. **ATTACHMENT A**
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S.C. §371(c)(2)). **ATTACHMENT B**
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19.
9.  An unexecuted oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). **ATTACHMENT C**
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98. **ATTACHMENT D**
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment. **ATTACHMENT E**  
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  Other items or information: PCT/IB/304 Form **ATTACHMENT F**

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

U.S. APPLICATION NO. NEW <b>10/263557</b>	INTERNATIONAL APPLICATION NO. PCT/JP2004/010903	ATTORNEY'S DOCKET NO. 2005_2041A		
15. [X] The following fees are submitted		CALCULATIONS PTO USE ONLY		
Basic National Stage Fee .....		\$300.00		
National Stage Search Fee .....		\$400.00		
National Stage Examination Fee .....		\$200.00		
Specification/drawings in excess of 100 pages (1 unit of 50 x \$250.00) = .....		\$250.00		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$1,150.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
Claims	Number Filed	Number Extra	Rate	
Total Claims	40 -20 =	20	X \$50.00	\$1,000.00
Independent Claims	9 - 3 =	6	X \$200.00	\$1,200.00
Multiple dependent claim(s) (if applicable)		+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$3,350.00		
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$		
<b>SUBTOTAL =</b>		\$3,350.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$		
<b>TOTAL NATIONAL FEE =</b>		\$3,350.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$		
<b>TOTAL FEES ENCLOSED =</b>		\$3,350.00		
		Amount to be refunded \$		
		Amount to be charged \$		
<p>a. [X] A check in the amount of <u>\$3,350.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u>.</p>				
<b>THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975</b>				
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>				
19. CORRESPONDENCE ADDRESS		<p>By:           Jeffrey R. Filipek,          Registration No. 41,471</p> <p>WENDEROTH, LIND &amp; PONACK, L.L.P.          2033 "K" Street, N.W., Suite 800          Washington, D.C. 20006-1021          Phone:(202) 721-8200          Fax:(202) 721-8250</p> <p>January 3, 2006</p>		
CUSTOMER NO.		<p>[CHECK NO.] <u>71959</u>  <small>[2005_2041A]</small></p>		
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